

**A SUBSTITUTE ORDINANCE
TO AN ORDINANCE BY
COUNCILMEMBER DEBI STARNES**

AN ORDINANCE TO AMEND CHAPTER 106, ARTICLE III, SECTION 106-85 (B) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA SO AS TO MAKE CLEAR AND UNAMBIGUOUS THE LEGISLATIVE INTENT THAT AN OFFENSE IS COMMITTED WHEN CERTAIN CONDUCT IS COMMITTED EITHER AT ONE OF THE SPECIFIED PROHIBITED LOCATIONS OR CONDUCTED IN ONE OF THE SPECIFIED PROHIBITED MANNERS; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the Council of the City of Atlanta enacted an ordinance on November 12, 1996, now codified at Section 106-85, to protect the citizens of the City of Atlanta from persons seeking to beg or solicit alms by accosting or forcing themselves upon the company of another; and

WHEREAS, the legislative intent was to establish both locations in which citizens could objectively feel vulnerable and to establish manners of solicitation which are objectively assaultive in nature;

WHEREAS, the locations and manner were intended to be two separate criteria by which to establish a violation of the Code of Ordinances.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section One: That Chapter 106, Article III, Section 106-85(b) of the Code of Ordinances, which currently reads as follows:

(b) *Exceptions.* Except when performed in the manner and locations set forth in subsections (c)(1), (c)(2), (c)(3), (c)(4), (c)(5), (c)(6), (c)(7), (c)(8), (c)(9), (d)(1) and (d)(2) of this section, it shall not be unlawful to ask, beg or solicit money or other things of value.

*be deleted in its entirety
and the following substituted in lieu thereof:*

(b) *Exceptions.* Except when performed in the manner set forth in subsections (d)(1) or (d)(2) of this section, or in any of the locations set forth in subsections (c)(1), (c)(2), (c)(3), (c)(4), (c)(5), (c)(6), (c)(7), (c)(8), or (c)(9) of this section, it shall not be unlawful to ask, beg, or solicit money or other things of value.

Section Two: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.